

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN - SOUTHERN DIVISION**

JASON ZUHL

Plaintiff,

vs.

JASON HASKINS, individually

Defendant.

File No. 1:12-cv-01380-RJJ

HON. RAY KENT

Hugh M. Davis (P12555)
Cynthia Heenan (P53664)
Attorneys for Plaintiff
Constitutional Litigation Associates PC
450 W Fort St Ste 200
Detroit MI 48226
313-961-2255/Fax 313-961-5999
conlitpc@sbcglobal.net

James M. Straub (P21083)
Sarah J. Hartman (P71458)
Attorneys for Defendant
Straub Seaman & Allen PC
1014 Main St, PO Box 318
St Joseph MI 49085
269-982-1600
jstraub@lawssa.com
shartman@lawssa.com

James T. McGovern (P79410)
Attorney for Jason Haskins
Berrien County Administration Center
701 Main Street
St. Joseph, MI 49085
(269) 983-7111, Ext. 8416
jmcgovern@berriencounty.org

JOINT STATEMENT OF THE CASE

Plaintiff Jason Zuhl has filed this lawsuit alleging that Defendant BCSD Jason Haskins violated his right under the 4th Amendment to the U.S. Constitution to be free from excessive and unreasonable force. Plaintiff alleges that while executing a legally issued search warrant at the home he shared with his now ex-wife Anne Zuhl, officers broke down the door of their home without identifying themselves as police officers and that Haskins, upon encountering Plaintiff Zuhl in the home, struck him in the face with his flashlight, causing permanent injuries to Mr. Zuhl's right eye. Plaintiff is seeking an award of money damages to compensate him for his injuries, medical expenses, lost wages, pain and suffering and emotional distress. Plaintiff further

STRAUB, SEAMAN & ALLEN, P.C.

1014 MAIN ST., ST. JOSEPH, MI 49085 269.982.1600
2810 EAST BELTLINE LANE NE, GRAND RAPIDS, MI 49525 616.530.6555

claims that the acts of Defendant Haskins were done with reckless or callous indifference to Plaintiff's rights which entitle him to an additional award of punitive damages.

Defendant Haskins contends that he and the other officers on his team had a valid search warrant for the Zuhl residence and knocked on the exterior door to the kitchen area and announced themselves as police officers while being dressed in police uniforms. Haskins saw Jason Zuhl observe the officers through the glass panes in the kitchen door and rapidly turned and left the kitchen area disappearing around a wall. After the door was opened by the other officers, Deputy Haskins proceeded to go around the corner where Zuhl had disappeared and collided with him. Haskins then detained Zuhl in handcuffs while the search of the residence proceeded.

Haskins denies striking Plaintiff's face with his flashlight and asserts that he only contacted Zuhl in the chest area with his flashlight held horizontally to prevent a collision with him. Defendant Haskins maintains that this force was reasonable and necessary under the circumstances. He also contends that there is insufficient proof to establish that any injury to Plaintiff's right eye was caused by Haskins's actions.

Dated: September 26, 2017

CONSTITUTIONAL LITIGATION
ASSOCIATES, P.C.

/s/ Cynthia Heenan

Hugh M. Davis (P12555)

Cynthia Heenan (P53664)

Dated: September 26, 2017

STRAUB, SEAMAN & ALLEN, P.C.

/s/ Sarah J. Hartman

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Attorneys for Defendant

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